

**Decision with Statement of Reasons of the First-tier Tribunal for Scotland (Housing and Property Chamber) under Section 71 of the Private Housing (Tenancies) (Scotland) Act 2016**

**Chamber Ref: FTS/HPC/CV/25/0053**

**Re: Property at 3-1 283 Springburn Way, Springburn, Glasgow, G21 1JX (“the Property”)**

**Parties:**

**Mr Barry Rodden, 12 Fiynn Garden, Stepps, Glasgow, G33 6NZ (“the Applicant”)**

**Miss Rosemary McIntyre, 3-1 283 Springburn Way, Springburn, Glasgow, G21 1JX (“the Respondent”)**

**Tribunal Members:**

**Ms H Forbes (Legal Member) and Mr T Cain (Ordinary Member)**

**Decision (in absence of the Respondent)**

**The First-tier Tribunal for Scotland (Housing and Property Chamber) (“the Tribunal”) determined that an order for payment should be granted in the sum of £1500.**

**Background**

1. This is a Rule 111 application received in the period between 7<sup>th</sup> January and 24<sup>th</sup> February 2025 whereby the Applicant is seeking an order for payment in the sum of £1500 in respect of rent arrears. The Applicant representative lodged a copy of a private residential tenancy agreement between the parties in respect of the Property, which tenancy commenced on 7<sup>th</sup> May 2021 at a monthly rent of £595. The Applicant representative lodged a rent statement and pre-action correspondence.
2. Service of the application and notification of a Case Management Discussion was made upon the Respondent by Sheriff Officer on 14<sup>th</sup> July 2025.
3. By email dated 27<sup>th</sup> August 2025, the Applicant representative lodged a payment plan agreement signed by the Respondent stating that the Respondent would pay the arrears at £50 per month above the monthly rental payment.

## **The Case Management Discussion**

4. A Case Management Discussion ("CMD") took place by telephone conference on 28<sup>th</sup> August 2025. Ms Cooke was in attendance on behalf of the Applicant. The Respondent was not in attendance. The start of the CMD was delayed to allow the Respondent to attend.
5. The Tribunal considered the terms of Rule 29. The Tribunal determined that the requirements of Rule 17(2) had been satisfied, and it was appropriate to proceed with the application in the absence of the Respondent.
6. Ms Cooke asked the Tribunal to grant an order in the sum sought, explaining that the rent was increased by rent increase notice in August 2024 to £845 per month.

## **Findings in Fact and Law**

7.
  - (i) Parties entered into a private residential tenancy agreement in respect of the Property which commenced on 7<sup>th</sup> May 2021 at a monthly rent of £595.
  - (ii) The monthly rent was increased to £845 from August 2024.
  - (iii) Rent lawfully due has not been paid by the Respondent to the Applicant.
  - (iv) The Applicant is entitled to recover rent lawfully due.

## **Reasons for Decision**

8. Rent lawfully due is outstanding. The Applicant is entitled to recover rent lawfully due.

## **Decision**

9. An order for payment is granted in favour of the Applicant in the sum of £1500.

## **Right of Appeal**

**In terms of Section 46 of the Tribunal (Scotland) Act 2014, a party aggrieved by the decision of the Tribunal may appeal to the Upper Tribunal for Scotland on a point of law only. Before an appeal can be made to the Upper Tribunal, the party must first seek permission to appeal from the First-tier Tribunal. That**

party must seek permission to appeal within 30 days of the date the decision was sent to them.

Helen Forbes

Legal Member/Chair

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28<sup>th</sup> August 2025  
Date